

## Absent.

Gough. Patterson.  
James. Yantis.  
Lewis. Yett.

## Absent—Excused.

Potter.

The Chair laid before the Senate, on second reading,

House Committee Substitute bill for Senate bill No. 222, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office to appoint two State land agents, prescribing their duty, fixing their salaries, making an appropriation therefor; providing for the recovery for the depredation upon timber and for the use or occupancy without lawful authority, and to prevent the free use and unlawful enclosure of any of the public lands owned or held in trust by the State for any purpose whatever, and creating an emergency."

The bill was read a second time, and ordered engrossed (passed to a third reading).

On motion of Senator Davidson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

## Yeas—21.

Atlee.	Lloyd.
Burns.	Miller.
Davidson.	Morriss.
Dibrell.	Neal.
Goss.	Ross.
Greer.	Sebastian.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Johnson.	Wayland.
Kerr.	

## Nays—3.

Linn.	Turney.
Odell.	

## Present—Not voting.

McGee.

## Absent.

Gough.	Yantis.
Lewis.	Yett.
Patterson.	

## Absent—Excused.

Potter.

The bill was read a third time, and pending action on final passage,

On motion of Senator Goss, the bill was laid on the table subject to call.

On motion of Senator Kerr, the Senate adjourned until 10 a. m. tomorrow.

## SEVENTY-SIXTH DAY.

Senate Chamber,

Austin, Texas, Friday, April 28, 1899.

Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Lloyd.
Burns.	McGee.
Davidson.	Miller.
Dibrell.	Morriss.
Goss.	Neal.
Gough.	Odell.
Greer.	Patterson.
Grinnan.	Ross.
Hanger.	Sebastian.
James.	Stafford.
Johnson.	Stone.
Kerr.	Turney.
Linn.	Wayland.

## Absent.

Lewis.	Yantis.
Terrell.	Yett.

## Absent—Excused.

Potter.

Prayer by the Chaplain, Rev. Dr. Denison.

Pending the reading of the Journal of yesterday,

On motion of Senator Miller, the same was dispensed with.

## PETITIONS AND MEMORIALS.

By Senator Patterson:

Petition of W. R. Sedberry and others, of Clifton, Texas, asking the passage of Senate bill No. 323 (anti-trust bill), without amendment.

## COMMITTEE REPORTS.

Committee Room,

Austin, Texas, April 28, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Towns and City Corporations, to whom was referred Senate bill No. 235, being a bill to be entitled "An Act to validate the incorporation of cities and towns of one thousand inhabitants or over, incorporated since March 23, 1897, which have heretofore attempted to be made under certain conditions, and to validate their acts done since date which were authorized by law,"

Have had the same under consideration, and I am instructed to report the

same back to the Senate with the recommendation that it *do* pass.

Floor report—Miller, Greer, Ross, James, Hanger.

MILLER, Chairman.

Committee Room,  
Austin, Texas, April 27, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Internal Improvements, to whom was referred

Substitute Senate bill No. 332, being a bill to be entitled "An Act to provide for the organization of corporations for the purpose of the storage and transportation and purchase and sale of oil and gas; to provide the manner and method of organizing such corporations; to prescribe the rights, powers, privileges and duties of such corporations; to authorize such corporations to construct, operate and maintain pipe lines, tanks, buildings, machinery, apparatus and devices as may be necessary to own, use and occupy lands, easements, buildings and structures; to empower such corporations to condemn lands and other property for the uses and purposes of such corporations, and to provide the methods therefor; issue stocks and bonds and to borrow money and mortgage its franchises and property,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass, with the following amendments:

"Amend the caption by inserting after the word 'gas,' in line 2, the words 'salt brine and other mineral solutions.'

"Amend the caption by inserting in line 11, after the word 'tanks,' the word 'pump stations.'

"Amend Section 1 by inserting in line 19, after the word 'gas,' the words 'salt brine and other mineral solutions.'

"Amend Section 2 by adding thereto the following, 'and the provisions of this act shall apply to all corporations already organized for any of the purposes of this act.'

"Amend Section 3, line 25, by inserting after the word 'gas' the words 'salt brine and other mineral solutions.'

"Amend Section 3, line 27, by inserting after the word 'tanks' the word 'pump stations.'

"Amend by adding:

"Section 7. The near approach to the close of the present session of the Legislature, the crowded condition of the calendar, and the importance of this legislation, create an emergency and an imperative public necessity authorizing the

suspension of the constitutional rule requiring bills to be read on three several days, and that this act take effect and be in force from and after its passage, and it is so enacted.'"

STAFFORD, Chairman.

## BILLS AND RESOLUTIONS.

By Senator Burns:

Senate bill No. 342, A bill to be entitled "An Act to amend Section 40 of an act entitled 'An Act to provide a charter for the city of Houston, Harris county, Texas, the same being Chapter 7 of the special Acts of the Regular Session of the Twenty-fifth Legislature, and to repeal all laws and parts of laws in conflict herewith, and to declare an emergency.'"

Read first time, and referred to the Committee on Towns and City Corporations.

By Senator Stafford:

Senate bill No. 343, A bill to be entitled "An Act to make it a penal offense for any person to alter, change, destroy or mutilate any public record or document authorized, required or permitted by law to be kept by any officer within this State, and to fix the punishment therefor."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Atlee:

Senate bill No. 344, A bill to be entitled "An Act to authorize the issuance of patents to lands which, under the ruling of the Land Office and the decisions of the courts, belong to the public school fund of the State, and which have been applied for and purchased as public domain under the provisions of Title LXXXVII, Chapter 11, of the Revised Civil Statutes of the State of Texas of 1895, prior to May 23, 1898, and to provide for the disposition of the proceeds and to declare an emergency."

Read first time, and referred to the Committee on Public Lands and Land Office.

## BILLS SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read,

Senate bill No. 215, "An Act defining the offense of defrauding hotel and boarding house keepers of their charges, and providing a penalty therefor."

Senate bill No. 260, "An Act to provide for the establishment, maintenance and government of a State normal school, to be located at San Marcos, in Hays county, Texas, and to be known as the Southwest Texas Normal School."

Senate bill No. 32, "An Act to amend

Article 128, Title IX, Chapter 1, of the Revised Civil Statutes of the State of Texas, relating to the apprehension of lunatics."

Senate bill No. 218, "An Act authorizing the board of managers of the Southwest Texas Lunatic Asylum at San Antonio, Texas, in conjunction with the Governor of the State of Texas, to lease the sulphur water flowing from the artesian wells on the grounds belonging to said asylum."

Substitute Senate bill No. 119, "An Act to amend Article 4368, Chapter 3, Title XCIV, of the Revised Civil Statutes of the State of Texas, prescribing the duties of railway companies with respect to their general and public offices, and the residence of their officers, to be kept and maintained within the State of Texas."

Senate bill No. 254, "An Act to amend Article 4218q, of Chapter 12a, of Title LXXXVII, of the Revised Civil Statutes of the State of Texas of 1895, relating to the sale of timber lands."

Senate bill No. 243, "An Act validating the incorporation, for school purposes only, of Victoria independent school district, an independent incorporated public school district, heretofore incorporated in Victoria county, including within its limits the municipal incorporation of the town or city of Victoria; adding to the same certain territory, so as to make the same hereafter co-extensive with the ancient and original town tract of Victoria; validating the acts of the board of trustees thereof; authorizing the board of trustees to levy, assess and collect special taxes; conferring upon the board of trustees plenary powers and authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same; and further prescribing the duties and authorities of said board," with amendment.

#### SPECIAL ORDER.

The Chair laid before the Senate, on second reading, special order, Senate bill No. 323 (anti-trust bill), action being on Senator Davidson's amendment (see Journal of April 25th).

On motion of Senator Goss, the pending business was suspended to take up, on second reading,

House bill No. 412, A bill to be entitled "An Act to amend Article 5043, Chapter 6, Title CII, Revised Statutes, relating to inspection of live stock, so as to place Randall county under the operation of said law, and to remove Cochran, Cottle,

Bailey, Parmer, Lamb and Hemphill counties from the operation of said law."

The bill was read a second time.

By Senator Goss:

"Amend the bill by striking out 'Deaf Smith,' line 8, page 2, and by inserting after the word 'Lamb,' page 3, line 4, the following, 'Hemphill, Cottle, Hardeman, Maverick.'"

Adopted.

By Senator Goss:

"Amend the House amendment to caption by striking out the following, 'Twenty-fifth Legislature, in Chapters 43 and 107,' and inserting in lieu thereof the words, 'Twenty-fourth Legislature, in Chapter 43.'"

Adopted.

By Senator Atlee:

"Strike out, in lines 21 and 22, page 2, printed bill, all after word 'be,' in line 21, to and including the word 'Encinal,' in line 22."

Adopted.

By Senator Atlee:

"Strike out in line 18, on page 3, printed bill, the following, 'Webb and Encinal,' and insert in lieu thereof the following, 'and Webb.'"

Adopted.

By Senator Hanger:

"Amend by adding after the word 'Zavala,' in line 9, page 2, of House bill No. 412, the word 'Tarrant.'"

The bill as amended was passed to a third reading.

#### SPECIAL ORDER.

Action recurring to special order, Senate bill No. 323 (anti-trust bill), pending which,

Senator Greer offered the following:

Whereas, Senate bill No. 323 has been decided by the Circuit Court of Arkansas inoperative as to its extra-territorial effect, and of doubtful validity, and

Whereas, Said law does not embrace certain classes of trusts, which are dangerous, while it prohibits labor organizations necessary for the protection of many thousands of citizens of this State; therefore, be it

Resolved, That a commission of three, composed of Senators Davidson, Turney and Dibrell, be created for the purpose of drafting and reporting at the earliest practicable date an anti-trust law, fair, equitable and constitutional in its provisions, or to prepare such amendments as they may deem proper to our present anti-trust law; and, be it further

Resolved, That Senate bill No. 323 be referred to said Special Committee.

Senator Miller moved to table the resolution.

Carried by the following vote:

Yeas—14.

Davidson.	Miller.
Goss.	Morriss.
Grinnan.	Odell.
James.	Sebastian.
Johnson.	Stafford.
Lloyd.	Turney.
McGee.	Wayland.

Nays—10.

Atlee.	Linn.
Burns.	Neal.
Gough.	Patterson.
Greer.	Ross.
Kerr.	Stone.

Absent.

Dibrell.	Terrell.
Hanger.	Yantis.
Lewis.	Yett.

Absent—Excused.

Potter.

Action was then on Senator Davidson's amendment, to wit:

"Amend line 31, page 5, by adding—'Providing that this act shall be in force and take effect from and after the first day of January, A. D. Nineteen Hundred.'"

By Senator Atlee:

"Amend the amendment as follows: Strike out '1st' and insert '31st.'"

Adopted.

The amendment as amended was then adopted.

By Senator Greer:

"Amend by adding to Section 1, the following: 'Provided, that this act shall be construed to apply to all pools, trusts, agreements, combinations, confederations or understandings, whether made in or out of Texas, if to be executed, performed or applied in whole or in part in Texas; but it is not to be construed as to apply to such above contracts, agreements and understandings made elsewhere and to be executed and performed wholly outside of Texas and with respect to commodities and property situated without this State.'"

By Senator Turney:

Substitute the amendment as follows:

"Amend by adding to Section 1, the following: 'Provided, the provisions of this act shall not effect any agreement concerning insurance nor insurance rates made beyond the limits of this State, and which are intended to effect and operate upon insurance rates and property outside of this State and which was not made concerning nor for the purpose of

affecting, controlling or operating upon any insurance nor insurance rate in this State, nor which could in fact affect nor be construed as affecting nor in anywise operating upon any insurance nor insurance rate within this State; provided, such agreement was and is lawful in States and counties when intended to be put into effect and actually put into effect and operation.'"

After discussion, and pending action,

On motion of Senator Turney the Senate went into Executive Session to consider the Governor's appointments.

#### AFTER EXECUTIVE SESSION.

In Executive Session the following confirmations were had:

MEMBER BOARD OF TRUSTEES FOR BLIND ASYLUM.

R. C. Walker of Travis county.

MEMBER OF BOARD OF TRUSTEES FOR DEAF, DUMB AND BLIND ASYLUM FOR COLORED YOUTHS.

J. Bouldin Rector of Travis county.

Senator Turney moved to take a recess until 3 p. m. today.

Senator Ross moved to adjourn until 10 a. m. Tuesday next.

Lost.

The Senate then took a recess until 3 p. m. today.

#### AFTER RECESS.

The Senate was called to order at 3 o'clock by Lieutenant-Governor Browning.

The Chair laid before the Senate, Senate bill No. 323 (the anti-trust bill), action being on the substitute of Senator Turney to the amendment of Senator Greer.

Pending consideration,

Senator Burns moved that the Senate adjourn until 10 o'clock next Tuesday morning.

Senator Gough moved to adjourn until 10 o'clock next Monday morning.

Question being put on the longest time first, the Senate adjourned until 10 o'clock next Tuesday morning.

#### SEVENTY-SEVENTH DAY.

Senate Chamber,

Austin Texas, Tuesday, May 2, 1899.

Senate met pursuant to adjournment. President Pro Tem. Stafford in the chair.

Roll called. Quorum present, the fol-